



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.2125 of 2018

and

C.M.P. (MD) .No.9407 of 2018

Uthayasankar

.. Petitioner/Respondent/
Respondent

vs.

Sangeetha

.. Respondent/Petitioner/
Petitioner

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to against the fair and decreetal order dated 26.06.2018 passed in I.A.No.24 of 2018 in H.M.O.P.No.383 of 2017 on the file of the Sub Court, Thirumangalam.

For Petitioner : Mr.C.Sundaravadivel

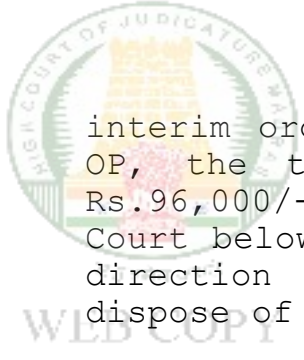
ORDER

The respondent filed H.M.O.P.No.383 of 2017 before the Sub Court, Thirumangalam, seeking restitution of conjugal rights. In the said HMOP, the respondent filed I.A.No.24 of 2018 claiming interim maintenance. The Court below by the order impugned in this Civil Revision Petition directed the revision petitioner to pay a sum of Rs.8,000/- per month as interim maintenance. The said order is questioned in this Civil Revision Petition.

2. The petitioner is working in HDFC Bank. He is said to be earning a sum of Rs.30,000/- per month. Therefore, directing the petitioner to pay a sum of Rs.8,000/- per month as interim maintenance cannot be said to be excessive.

3. The learned counsel for the revision petitioner submitted that the petitioner has other obligations to discharge and that therefore it may cause him immense hardship, if he is directed to pay the said amount.

4. This Court is of the view that this aspect of the matter can be taken care by fast tracking the proceedings instituted by the respondent. Hence, the Court below shall dispose of H.M.O.P.No.383 of 2017 on merits and in accordance with law, within a period of one year from the date of receipt of a copy of this order. Since an



interim order of maintenance will not have a life beyond the main OP, the total liability of the petitioner will not be beyond Rs.96,000/-. Hence, even while confirming the order passed by the Court below and I am dismissing this Civil Revision Petition, but a direction is given to the learned Sub Judge, Thirumangalam to dispose of H.M.O.P.No.383 of 2017 on or before 31.08.2019.

5. With the above direction, this Civil Revision Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Subordinate Judge,
Thirumangalam.
2. The Section Officer, V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.C.SUNDARAVADIVEL, ADVOCATE IN SR No. 88264

PJL

TE/BK/SAR-1 : 13/12/2018 : 2P/5C

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